

REMARKS

Claims 18-38 are pending in the application, of which Claims 18, 26, and 31 are independent. Claims 18, 19, 21-26, 28-32, and 34-38 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Huey *et al.* (U.S. Patent No. 5,467,349, hereinafter "Huey"). Claims 20, 27, and 33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Huey in view of Cappellari *et al.* (U.S. Patent No. 5,557,611, hereinafter "Cappellari").

In their previous response, Applicants explained that the claimed invention includes a virtual path that starts and ends at the same network element, resulting in a ring configuration. The virtual path ring configuration allows a network element to receive transmissions not only from other network elements, but also from itself. Therefore, a network element may send Operation, Administrative, and Maintenance (OAM) calls to itself and monitor for those same OAM calls. Applicants also explained that cited reference Huey does not make obvious the claimed invention because even if the ATM switches of Huey's Fig. 7 were connected in a ring pattern, such as in Huey's Fig. 1, Huey's virtual path would start at one ATM switch and end at a different ATM switch, thus, not forming a ring as recited in Applicants' independent Claims 18, 26, and 31 ("*a virtual path in a ring configuration*").

In the present action, the Office asserts that Huey's Fig. 1 shows three ATM switches in a ring configuration that are connected by a single virtual path, thereby showing a virtual path that starts and ends at the same ATM switch. But this is not the case, because the lines 14 of Huey's Fig. 1 that connect the three ATM switches actually illustrate three separate virtual paths.

As described by Huey with reference to Fig. 1, ATM switches 12 interface with other ATM switches 12 via network-to-network interfaces 14. Huey also states that virtual channels can be combined together to form a network-to-network interface 14, which can be a virtual path. This statement refers to a particular one of the lines 14 that connects a pair of ATM switches. (*See* Huey, col. 2, lines 26-36.) Nowhere in the description of Fig. 1 does Huey state that lines 14 represent a single virtual path that starts and ends at the same ATM switch. Even if the lines 14 of Huey's Fig. 1 were to be construed a single virtual path, Applicants respectfully note that Huey does not disclose originating an OAM call at one ATM switch and specifically monitoring for that same OAM call at that same switch.

Therefore, Applicants respectfully submit that Huey does not teach or suggest "*a virtual path in a ring configuration,*" "*originating ... calls at a source network element on the virtual path,*" and "*monitoring for the ... calls at the source network element on the virtual path,*" as claimed in independent Claim 18, and as similarly claimed in independent Claims 26 and 31.

Dependent Claims 19-25, 27-30, and 32-38 depend from independent Claims 18, 26, or 31. Therefore, Applicants respectfully submit that dependent Claims 19-25, 27-30, and 32-38 are novel and non-obvious over the cited art for at least the same reasons as presented above for independent Claims 18, 26, and 31. Applicants further submit that cited reference Cappellari does not add to Huey the elements presented above.

As such, Applicants respectfully request withdrawal of the rejections of Claims 18-38 under 35 U.S.C. 103(a) and acceptance of Claims 18-38.

CONCLUSION

In view of the above remarks, it is believed that all now pending claims (Claims 18-38) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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